

IAW RCE
3763

PTO/SB/30 (08-00)

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Modified PTO/SB/30

**Request
FOR
Continued Examination (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, Provides for continued examination of an utility or plant application Filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application No.:	09/712,237
Filing Date:	11/15/2000
First Named Inventor:	Haller
Group Art Unit:	3763
Examiner Name:	Loan H. Thanh
Attorney Docket No.:	P-7322.04 US

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other: _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other: _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other: _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-2546
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) - \$790.00
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) - \$ _____
- iii. ☒ Other: IDS - \$180.00
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Keith M. Campbell	Attorney Registration No.	46,597
Signature	<i>Keith M. Campbell</i>	Date	<i>November 1, 2004</i>

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Mindy Loge	Date	<i>November 1, 2004</i>
Signature	<i>Mindy Loge</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

11/04/2004 HALI11 00000038 132546 09712237

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to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. ¶ 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

[5] The references were cited in a counterpart foreign application. A copy of the foreign search report is attached for the Examiner's information.

By submitting these references, Applicant does not admit that the references are prior art to or material to this application, and reserves the right to establish that any reference is not prior art. Applicant does not represent that the references have been reviewed in detail; there may be details in the references of which Applicant is unaware.

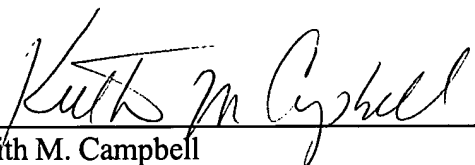
Pursuant to the waiver of the requirements under 37 C.F.R. 1.98(a)(2)(i) as stated in a Pre-Official Gazette Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2546.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned, indicating that such information has been considered.

Respectfully submitted,

Date: November 1, 2004



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